

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 465; Pub. L. 88-132, §12(a), Oct. 2, 1963, 77 Stat. 217; Pub. L. 90-623, §3(4), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 95-485, title VIII, §804(b)(1), Oct. 20, 1978, 92 Stat. 1620; Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
305(a)	37:237.	Oct. 12, 1949, ch. 681, §206, 63 Stat. 611; May 20, 1958, Pub. L. 85-422, §1(7), 72 Stat. 125.
305(b)	37:237a.	June 30, 1954, ch. 432, §729, 68 Stat. 355.

In subsection (a), the words “Except as provided by subsection (b) of this section” are inserted for clarity. The words “is also . . . entitled” are substituted for the words “shall, in addition thereto . . . be entitled”. The words “any place outside the United States, or in Alaska or Hawaii” are substituted for the words “beyond the continental limits of the United States or in Alaska”, since, under the source statute, Hawaii was beyond the continental limits of the United States, and the United States, as defined in section 101(1) of this revised title, would otherwise include Alaska and Hawaii. This interpretation conforms to the opinion of the Comptroller General, B-138956, April 20, 1959 (38 Comp. Gen. 710).

In subsection (b), the words “Appropriation of” are substituted for the words “of the funds appropriated to”. The words “may not be paid” are substituted for the words “no part . . . shall be available for the payment”. The words “member of a uniformed service” are substituted for the words “person in the military service” to conform to subsection (a). The words “Puerto Rico” are inserted for clarity, since the source statute was applicable to that place. The words “Virgin Islands” are inserted, since that unincorporated territory is not covered by the word “possession”. The word “Territory” is omitted as obsolete.

AMENDMENTS

1991—Subsec. (a). Pub. L. 102-25 struck out “of this section” after “subsections (b) and (c)”.

Subsec. (b). Pub. L. 102-25 struck out “of this section” after “subsection (a)”.

1978—Pub. L. 95-485, §804(b)(1)(C), substituted “on duty” for “on sea duty or duty” in section catchline.

Subsec. (a). Pub. L. 95-485, §804(b)(1)(A), inserted reference to subsec. (c) of this section and struck out provision entitling an enlisted member of a uniformed service who is entitled to basic pay to special pay while on sea duty.

Subsec. (c). Pub. L. 95-485, §804(b)(1)(B), added subsec. (c).

1968—Subsec. (a)(2). Pub. L. 90-623 substituted “48 contiguous States” for “contiguous 48 States”.

1963—Pub. L. 88-132 substituted “while on sea duty or duty at certain places” for “sea and foreign duty” in section catchline.

Subsec. (a). Pub. L. 88-132 designated existing provisions as cl. (1) and substituted provisions of cl. (2) permitting special pay for an enlisted member of a uniformed service while on duty at a designated place outside the contiguous 48 States and the District of Columbia for former provision entitling such member to special pay while on duty in any place outside the United States, or in Alaska or Hawaii.

Subsec. (b). Pub. L. 88-132 substituted “a State, Puerto Rico, the Virgin Islands, a possession, or a foreign country and who is serving in that State, Puerto Rico, the Virgin Islands, that possession, or that foreign country” for “Alaska, Hawaii, Puerto Rico, the Virgin Islands, or a possession, unless that member is serving in an area outside Alaska, Hawaii, the Virgin Islands, or a possession, of which he is a resident”.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 804(b)(3) of Pub. L. 95-485 provided that: “The amendments made by this subsection [amending this section] shall take effect on October 1, 1978.”

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1963 AMENDMENT

Amendment by Pub. L. 88-132 effective Oct. 1, 1963, see section 14 of Pub. L. 88-132, set out as a note under section 201 of this title.

SAVINGS PROVISION

Section 12(b) of Pub. L. 88-132 provided that: “Notwithstanding subsection (a) [amending this section], an enlisted member who, on the day before the effective date of this Act [Oct. 1, 1963], was permanently assigned to duty at a place outside the United States or in Alaska or Hawaii, shall, during the remaining period of that assignment, but not after that place is designated for the purpose of section 305(a)(2) of title 37, United States Code, be paid the basic pay to which he was entitled on that date plus special pay under section 305 of title 37, United States Code, whenever qualified thereunder as that section was in effect on the day before the effective date of this Act, if the total of that basic pay and that special pay is more than the basic pay to which he would otherwise be entitled during that period under section 2 of this Act [amending section 203 of this title].”

SEA DUTY PERFORMED BETWEEN OCTOBER 1, 1978, AND
SEPTEMBER 30, 1981

Section 804(c) of Pub. L. 95-485 provided that: “Any individual who on September 30, 1978, is an enlisted member of a uniformed service shall be eligible to receive special pay under section 305(a)(1) of title 37, United States Code, as in effect on September 30, 1978, for any period of sea duty performed by such individual during the period beginning on October 1, 1978, and ending on September 30, 1981, for which such individual does not receive special pay under section 305a of such title (as added by subsection (a)).”

REGULATIONS RELATING TO SPECIAL PAY

Regulations relating to special pay for sea duty and duty at certain places, see Ex. Ord. No. 11157, June 22, 1964, 29 F.R. 7973, set out as a note under section 301 of this title.

EXECUTIVE ORDER NO. 10168

Ex. Ord. No. 10168, Oct. 11, 1950, 15 F.R. 6877, as amended by Ex. Ord. No. 10821, May 20, 1959, 24 F.R. 4123; Ex. Ord. No. 10989, Jan. 23, 1962, 27 F.R. 727; Ex. Ord. No. 11120, Oct. 2, 1963, 28 F.R. 10631, which concerned regulations relating to special pay for sea duty and duty at certain places, was revoked by Ex. Ord. No. 11157, June 22, 1964, 29 F.R. 7973, set out as a note under section 301 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 907 of this title.

§ 305a. Special pay: career sea pay

(a) Under regulations prescribed by the President, a member of a uniformed service who is entitled to basic pay is also entitled, while on sea duty, to special pay at the applicable rate under subsection (b).

(b) The monthly rates for special pay under subsection (a) are as follows:

ENLISTED MEMBERS

Pay grade	Years of sea duty					
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5
E-4	\$50	\$60	\$120	\$150	\$160	\$160
E-5	50	60	120	150	170	315
E-6	100	100	120	150	170	315
E-7	100	100	120	175	190	350
E-8	100	100	120	175	190	350
E-9	100	100	120	175	190	350
	Over 6	Over 7	Over 8	Over 9	Over 10	Over 11
E-4	\$160	\$160	\$160	\$160	\$160	\$160
E-5	325	350	350	350	350	350
E-6	325	350	350	365	365	365
E-7	350	375	390	400	400	410
E-8	350	375	390	400	400	410
E-9	350	375	390	400	400	410
	Over 12	Over 13	Over 14	Over 16	Over 18	
E-4	\$160	\$160	\$160	\$160	\$160	
E-5	350	350	350	350	350	
E-6	380	395	410	425	450	
E-7	420	450	475	500	500	
E-8	420	450	475	500	520	
E-9	420	450	475	520	520	

WARRANT OFFICERS

Pay grade	Years of sea duty					
	1 or less	Over 1	Over 2	Over 3	Over 4	Over 5
W-1	\$130	\$135	\$140	\$150	\$170	\$175
W-2	150	150	150	150	170	260
W-3	150	150	150	150	170	270
W-4	150	150	150	150	170	290
W-5	150	150	150	150	170	290
	Over 6	Over 7	Over 8	Over 9	Over 10	Over 11
W-1	\$200	\$250	\$270	\$300	\$325	\$325
W-2	265	265	270	310	340	340
W-3	280	285	290	310	350	375
W-4	310	310	310	310	350	375
W-5	310	310	310	310	350	375
	Over 12	Over 14	Over 16	Over 18	Over 20	
W-1	\$340	\$360	\$375	\$375	\$375	
W-2	375	400	400	400	400	
W-3	400	425	425	450	450	
W-4	400	450	450	500	500	
W-5	400	450	450	500	500	

COMMISSIONED OFFICERS

Pay grade	Years of sea duty						
	Over 3	Over 4	Over 5	Over 6	Over 7	Over 8	Over 9
O-1	\$150	\$160	\$185	\$190	\$195	\$205	\$215
O-2	150	160	185	190	195	205	215
O-3	150	160	185	190	195	205	215
O-4	185	190	200	205	215	220	220
O-5	225	225	225	225	230	245	250
O-6	225	230	230	240	255	265	280
	Over 10	Over 11	Over 12	Over 14	Over 16	Over 18	Over 20
O-1	\$225	\$225	\$240	\$250	\$260	\$270	\$280
O-2	225	225	240	250	260	270	280
O-3	225	225	240	260	270	280	290
O-4	225	225	240	270	280	290	300
O-5	260	265	265	285	300	315	340
O-6	290	300	310	325	340	355	380

(c) Under regulations prescribed by the President, a member of a uniformed service who is entitled to career sea pay under this section who has served 36 consecutive months of sea duty (other than an enlisted member in a pay grade above E-4 with more than five years of sea duty)

is entitled to a career sea pay premium of \$100 a month for the thirty-seventh consecutive month and each subsequent consecutive month of sea duty served by such member.

(d)(1) In this section, the term “sea duty” means duty performed by a member—

(A) while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and—

(i) while serving on a ship the primary mission of which is accomplished while under way;

(ii) while serving as a member of the off-crew of a two-crewed submarine; or

(iii) while serving as a member of a tender-class ship (with the hull classification of submarine or destroyer); or

(B) while permanently or temporarily assigned to a ship or ship-based staff and while serving on a ship the primary mission of which is normally accomplished while in port, but only during a period that the ship is away from its homeport.

(2) For the purpose of determining the years of sea duty with which a member may be credited for purposes of this section, the term “sea duty” also includes duty performed after December 31, 1988, by a member while permanently or temporarily assigned to a ship or ship-based staff and while serving on a ship on which the member would be entitled, during a period that the ship is away from its homeport, to receive sea pay by reason of paragraph (1)(B).

(3) A ship shall be considered to be away from its homeport for purposes of this subsection when it is—

(A) at sea; or

(B) in a port that is more than 50 miles from its homeport.

(Added Pub. L. 95-485, title VIII, §804(a)(1), (2), Oct. 20, 1978, 92 Stat. 1620; amended Pub. L. 96-343, §3(a), (b), Sept. 8, 1980, 94 Stat. 1124; Pub. L. 96-579, §4(a), Dec. 23, 1980, 94 Stat. 3364; Pub. L. 97-60, title I, §116, Oct. 14, 1981, 95 Stat. 996; Pub. L. 97-295, §3(1), Oct. 12, 1982, 96 Stat. 1303; Pub. L. 98-525, title VI, §623(a), Oct. 19, 1984, 98 Stat. 2541; Pub. L. 99-145, title VI, §634(a), Nov. 8, 1985, 99 Stat. 647; Pub. L. 100-26, §8(e)(5), Apr. 21, 1987, 101 Stat. 286; Pub. L. 100-180, div. A, title VI, §621(a)–(c), Dec. 4, 1987, 101 Stat. 1097, 1099; Pub. L. 100-224, §5(a)(1), Dec. 30, 1987, 101 Stat. 1538; Pub. L. 100-456, div. A, title XII, §1233(b)(1), Sept. 29, 1988, 102 Stat. 2057; Pub. L. 101-189, div. A, title VI, §653(b), Nov. 29, 1989, 103 Stat. 1462; Pub. L. 102-25, title VII, §702(b)(1), (c), Apr. 6, 1991, 105 Stat. 117; Pub. L. 102-190, div. A, title XI, §1111(d)(3), Dec. 5, 1991, 105 Stat. 1492; Pub. L. 104-106, div. A, title VI, §618, Feb. 10, 1996, 110 Stat. 362.)

AMENDMENTS

1996—Subsec. (d)(1)(A). Pub. L. 104-106 amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and while serving on a ship the primary mission of which is accomplished while under way or while serving as a member of the off-crew of a two-crewed submarine; or”.

1991—Subsec. (a). Pub. L. 102-25 struck out “of this section” after “subsection (b)”.

Subsec. (b). Pub. L. 102-190, in table pertaining to warrant officers, added provisions relating to pay grade W-5 in three places.

1989—Subsec. (b). Pub. L. 101-189 inserted “COMMISSIONED” before “OFFICERS” in heading of table relating to officers in pay grades O-1 through O-6.

1988—Subsec. (d)(2). Pub. L. 100-456 substituted “after December 31, 1988,” for “on or after the effective date specified in section 621(e)(1) of the National Defense Authorization Act for Fiscal Year 1988”.

1987—Subsec. (b). Pub. L. 100-224 substituted “Over 14” for “Over 13” in table relating to warrant officers.

Pub. L. 100-180, § 621(a), in amending subsec. (b) generally, struck out “of this section” after “subsection (a)” in introductory provisions and amended table pertaining to enlisted members so as to reflect downward adjustment in monthly special pay rates for persons in pay grade E-4 having over 2 years of sea duty and for persons in pay grades E-5 through E-9 having less than 5 years of sea duty, and amended table so as to reflect upward adjustment for persons in pay grades E-5 through E-9 having over 5 years of sea duty, amended table pertaining to warrant officers so as to reflect upward adjustment for persons in pay grades W-1 through W-3 having over 9 years of sea duty and for persons in pay grade W-4 having over 10 years of sea duty, and in table pertaining to officers for pay grade O-4 substituted “220” for “215” in the column for “Over 8”.

Subsec. (c). Pub. L. 100-180, § 621(b), inserted “(other than an enlisted member in a pay grade above E-4 with more than five years of sea duty)” after first reference to “sea duty”.

Subsec. (d). Pub. L. 100-180, § 621(c), amended subsec. (d) generally. Prior to amendment, subsec. (d) read as follows: “In this section, the term ‘sea duty’ means duty performed by a member—

“(1) while permanently or temporarily assigned to a ship, ship-based staff, or ship-based aviation unit and while serving on a ship the primary mission of which is accomplished while underway or while serving as a member of the off crew of a two-crewed submarine; or

“(2) while permanently or temporarily assigned to a ship or ship-based staff and while serving on a ship the primary mission of which is normally accomplished while in port, but only during a period that the ship is away from its homeport for 30 consecutive days or more.

A ship is considered away from its homeport for purposes of clause (2) of the first sentence when it is at sea or in a port that is more than 50 miles from its homeport.”

Pub. L. 100-26 substituted “In this section,” for “For the purposes of this section,”.

1985—Subsec. (b). Pub. L. 99-145 amended table for warrant officers for pay grade W-3 by substituting “330” for “310” in column for “Over 12”, and for pay grade W-4, substituted “320” for “310” in column for “Over 10”, substituted “330” for “310” in column for “Over 11”, and “350” for “310” in column for “Over 12”, inserted columns for “Over 14”, “Over 16”, “Over 18”, and “Over 20”, and in table for commissioned officers inserted columns for “Over 14”, “Over 16”, “Over 18”, and “Over 20”, and struck out the subscript qualifier for pay grades O-1 and O-2, which read: “Commissioned officers with at least four years of active service as enlisted members or as noncommissioned warrant officers”.

1984—Subsec. (b). Pub. L. 98-525 amended table relating to rates of pay for enlisted members by substituting “265” for “255” and “320” for “310” in column for “Over 10”, “265” for “255” and “330” for “310” in column for “Over 11”, “280” for “255”, “320” for “310”, and “350” for “310” in column for “Over 12”, and inserted columns for “Over 13”, “Over 14”, “Over 16”, and “Over 18”.

1982—Subsec. (d). Pub. L. 97-295 substituted “clause (2)” for “clause (B)” after “for purposes of”.

1981—Subsec. (d)(1). Pub. L. 97-60 inserted provisions relating to service as a member of the off crew of a two-crewed submarine.

1980—Subsec. (a). Pub. L. 96-579 substituted provision declaring a member of a uniformed service entitled to basic pay as eligible for special pay for prior provision for eligibility to such pay of an enlisted member of a uniformed service entitled to basic pay, in pay grade E-4 or above, with three years of sea duty.

Subsec. (b). Pub. L. 96-579 substituted special monthly pay table for enlisted members, warrant officers, and commissioned officers for prior special monthly rate for enlisted members for sea duty above prescribed number of years: \$29, 3 yrs.; \$40, 5 yrs.; \$52, 7 yrs.; \$63, 9 yrs.; \$75, 10 yrs.; \$86, 11 yrs.; and \$115, 12 yrs.

Pub. L. 96-343 substituted provision authorizing monthly rates of special pay of \$29 for over 3 years, \$40 for over 5 years, \$52 for over 7 years, \$63 for over 10 years, \$86 for over 11 years, and \$115 for over 12 years for provision authorizing monthly rates of special pay during fiscal year 1979 or 1980 of \$25 for over 3 years, \$35 for over 5 years, and \$55 for over 12 years and for fiscal year 1981 rates of \$25 for over 3 years, \$35 for over 5 years, \$45 for over 7 years, and \$55 for over 12 years.

Subsecs. (c), (d). Pub. L. 96-579 added subsecs. (c) and (d).

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-190 effective Feb. 1, 1992, see section 1132 of Pub. L. 102-190, set out as a note under section 521 of Title 10, Armed Forces.

EFFECTIVE DATE OF 1987 AMENDMENT; SAVE PAY; DEFINITIONS

Section 621(d)–(f) of Pub. L. 100-180 provided that:

“(d) SAVE PAY.—A member of the uniformed services who at any time during the three-month period ending on the day before the effective date applicable to that member under subsection (e) for the new rates of career sea pay is entitled to career sea pay at a rate that is higher than the rate established under such new rates for the member’s pay grade and years of sea duty shall be paid such special pay, when entitled to receive it, at such higher rate until the member is permanently reassigned to duty for which the member is not entitled to such special pay. In the case of a member covered by the preceding sentence who is reduced in grade under the Uniform Code of Military Justice (chapter 47 of title 10, United States Code), the old rate of career sea pay applicable to such member under the preceding sentence which may be paid in lieu of the rate applicable to the member under the new rates of career sea pay shall be the rate under the old rates of career sea pay for the member’s pay grade as so reduced and the member’s years of sea duty.

“(e) EFFECTIVE DATE.—(1) Except as provided under paragraph (2), the amendments made by this section [amending this section] shall take effect on the first day of the first month beginning after the date of the enactment of this Act [Dec. 4, 1987] and shall apply with respect to duty performed on or after that date.

“(2) The new rates of career sea pay that are applicable to enlisted members in pay grades above pay grade E-4 who have five or more years of sea duty and the amendment made by subsection (b) [amending this section] shall take effect on the first day of the fourth month beginning after the effective date specified under paragraph (1). In the case of such members, the old rates of career sea pay shall remain in effect until the new rates take effect under the preceding sentence.

“(f) DEFINITIONS.—For purposes of subsections (d) and (e):

“(1) The term ‘career sea pay’ means special pay under section 305a of title 37, United States Code.

“(2) The term ‘old rates’, with respect to career sea pay, means the rates of such pay in effect on the date of the enactment of this Act [Dec. 4, 1987].

“(3) The term ‘new rates’, with respect to career sea pay, means the rates of such pay provided by the

amendment made by subsection (a) [amending this section].”

EFFECTIVE DATE OF 1985 AMENDMENT

Section 634(b) of Pub. L. 99-145 provided that: “The amendment made by this section [amending this section] shall take effect on October 1, 1985.”

EFFECTIVE DATE OF 1984 AMENDMENT

Section 623(c) of Pub. L. 98-525 provided that: “The amendments made by this section [amending this section and section 307 of this title] shall take effect on October 1, 1984.”

EFFECTIVE DATE OF 1980 AMENDMENTS

Section 4(b) of Pub. L. 96-579 provided: “The amendment made by this section [amending this section] shall be effective with respect to special pay payable under section 305a of title 37, United States Code, for months after the month in which this section is enacted [December 1980].”

Section 3(c) of Pub. L. 96-343 provided that: “The amendments made by this section [amending this section and repealing section 804(a)(2) of Pub. L. 95-485, formerly set out as a note below] shall be effective with respect to special pay payable under section 305a of title 37, United States Code, for months after August 1980.”

EFFECTIVE DATE

Section 804(a)(1) of Pub. L. 95-485 provided that this section is effective Oct. 1, 1978.

REPEALS

Pub. L. 95-485, title VIII, §804(a)(2), Oct. 20, 1978, 92 Stat. 1620, which amended subsec. (b) of this section effective Oct. 1, 1981, to provide for monthly rates of special pay of \$25 for over 3 years, \$35 for over 5 years, \$45 for over 7 years, \$55 for over 9 years, \$65 for over 10 years, \$75 for over 11 years, and \$100 for over 12 years was repealed by Pub. L. 96-343, §3(b), Sept. 8, 1980, 94 Stat. 1124.

DETERMINATION OF AMOUNT OF SEA CREDIT; PERIODS PRIOR TO OCTOBER 1, 1978

Section 804(a)(3) of Pub. L. 95-485 provided that: “In determining the amount of sea duty to be credited to an enlisted member of a uniformed service for purposes of section 305a of title 37, United States Code (as added by paragraph (1)), the Secretary concerned shall credit such member with all periods of service by such member before October 1, 1978, during which such member served in a sea duty status.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 305, 907 of this title.

§ 306. Special pay: officers holding positions of unusual responsibility and of critical nature

(a) The Secretary concerned may designate positions of unusual responsibility which are of a critical nature to an armed force under his jurisdiction and may pay special pay, in addition to other pay prescribed by law, to an officer of an armed force who is entitled to the basic pay of pay grade O-6 or below and who is performing the duties of such a position, at the following monthly rates:

Pay Grade	Monthly Rate
O-6	\$150
O-5	100
O-4 and below	50

(b) The Secretary concerned shall prescribe the criteria and circumstances under which officers of an armed force under his jurisdiction are eligible for special pay under this section and, when he considers it necessary, may abolish that special pay.

(c) Not more than 5 percent of the number of officers on active duty (other than for training) in an armed force in each of the pay grades O-3 and below, and not more than 10 percent of the number of officers on active duty in an armed force in pay grade O-4, O-5, or O-6, may be paid special pay under this section.

(d) This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction, and by the Secretary of Transportation for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(e) This section does not apply to a person who is entitled to special pay under section 302, 302a, 302b, or 303 of this title.

(Pub. L. 87-649, Sept. 7, 1962, 76 Stat. 466; Pub. L. 90-623, §3(1), Oct. 22, 1968, 82 Stat. 1314; Pub. L. 96-284, §6, June 28, 1980, 94 Stat. 593; Pub. L. 96-470, title II, §202(b), Oct. 19, 1980, 94 Stat. 2242; Pub. L. 97-322, title I, §116, Oct. 15, 1982, 96 Stat. 1586; Pub. L. 101-510, div. A, title XIII, §1322(c)(3), Nov. 5, 1990, 104 Stat. 1672; Pub. L. 102-587, title V, §5205, Nov. 4, 1992, 106 Stat. 5074.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
306(a)	37:241(a) (less last sentence).	Oct. 12, 1949, ch. 681, §210; added May 20, 1958, Pub. L. 85-422, §1(8), 72 Stat. 126.
306(b)	37:241(a) (last sentence).	
306(c)	37:241(b).	
306(d)	37:241(c).	
306(e)	37:241(d).	
306(f)	37:241(e).	

In subsection (a), the words “an armed force under his jurisdiction” are substituted for the words “the service concerned” in the first sentence of section 241(a) of existing title 37 to conform to the last sentence of that subsection.

In subsection (c), the words “(other than for training)” are inserted for clarity, since members on duty for training only are not included in computing strength authorizations.

AMENDMENTS

1992—Subsec. (a). Pub. L. 102-587, §5205(a), substituted “of pay grade O-6 or below” for “of pay grade O-3, O-4, O-5, or O-6” in text and amended table by substituting “O-4 and below” for “O-4” and striking out line providing monthly rate of \$50 for pay grade O-3.

Subsec. (c). Pub. L. 102-587, §5205(b), substituted “in each of the pay grades O-3 and below,” for “in pay grade O-3.”

1990—Subsec. (f). Pub. L. 101-510 struck out subsec. (f) which read as follows: “The Secretary of Defense shall report to Congress by March 1 of each year following a calendar year in which special pay is disbursed under this section. Negative reports need not be submitted.”

1982—Subsec. (f). Pub. L. 97-322 struck out last sentence providing that the Secretary of Transportation shall make a similar report for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

1980—Subsec. (e). Pub. L. 96-284 made section inapplicable to a person entitled to special pay under section 302a or 302b of this title.